

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

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MERVIN MUNIZ,

Petitioner,

v.

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JOHN POWELL, et al.,

Respondents.  
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Civil No. 13-178 (MAS)

**MEMORANDUM AND ORDER**

This matter has come before the Court on Petitioner's submission of a Petition for Writ of Habeas Corpus, filed pursuant to 28 U.S.C. § 2254. It appears that:

1. Petitioner is currently confined at Bayside State Prison in Leesburg, New Jersey;
2. Petitioner neither prepaid the \$5.00 filing fee for a habeas petition as required by Local Civil Rule 54.3(a) nor submitted any materials in application to proceed *in forma pauperis*.

IT IS THEREFORE on this 12<sup>th</sup> day of March, 2013,

ORDERED that, to the extent that Petitioner seeks to proceed without prepayment of the filing fee, Petitioner's application to proceed *in forma pauperis* is hereby DENIED, without prejudice; and it is further

ORDERED that Petitioner's petition for a writ of habeas corpus shall be administratively terminated; and it is further

ORDERED that the Clerk of the Court shall supply to Petitioner a blank form Application to Proceed *In Forma Pauperis* in a Habeas Corpus Case, for use by a prisoner; and it is further

ORDERED that, if Petitioner wishes to reopen this action, he shall so notify the Court within 30 days of the date of entry of this Order, in writing addressed to the Clerk of the Court, Clarkson S. Fisher U.S. Courthouse and Federal Bldg., 402 East State Street, Trenton, New Jersey 08608; Petitioner's writing shall include either: (1) a complete *in forma pauperis* application, including a certification of Petitioner's institutional account, as required by Local Civil Rule 81.2(b); or (2) the \$5.00 filing fee; and it is further

ORDERED that the Clerk of the Court shall serve a copy of this Order upon Petitioner by regular U.S. mail; and it is finally

ORDERED that the Clerk of the Court shall close the file in this matter.

  
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MICHAEL A. SHIPP  
UNITED STATES DISTRICT JUDGE